



W.P(MD)No.26527 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26527 of 2025

1.B.David Selvakumar
2.M.Sivakumar

... Petitioners

Vs.

The Sub Registrar,
Thuraiyur Sub Registrar Office,
Thuraiyur,
Trichy District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of Refusal Check Slip passed by the respondent in his proceedings in RFL/Thuraiyur/335/2025 dated 19.09.2025 and quash the same as illegal and consequently direct the respondent to register the gift deed dated 14.08.2025 executed by the petitioners, within a time frame stipulated by this Court.

For Petitioners : Mr.R.Surya Prakash



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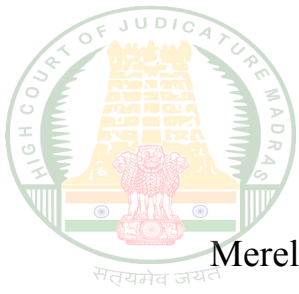
For Respondent : Mr.M.Senthil Ayyanar
Government Advocate

ORDER

Heard both sides.

2.The writ petitioners presented the gift deeds for registration before the respondent. Under the said gift deeds, the petitioners are gifting the petition mentioned lands in favour of the local body. The petitioners have already obtained clearance from the Directorate of Town and Country Planning (DTCP). In fact, the very presentation of these documents is pursuant to the direction given by the Joint Director, Town and Country Planning, Trichy District. The respondent herein declined to register the document on the ground that objections had been received from one Balakrishnan.

3.It is seen from the written instructions given to the learned Government Advocate that the objection was submitted as early as on 11.12.2023. Nothing stopped Balakrishnan / objector from obtaining injunction order from the jurisdictional civil Court in the meanwhile.



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Merely because an objection has been received, it is not proper on the part of the registering authority to withhold the registration. The registering authority will decline to register a document only if a restraint order has been issued by the jurisdictional civil Court or if the documents are otherwise not in order. I am more than satisfied that the documents are in order. The respondent shall decline registration only if there is an interim order in favour of Balakrishnan. That does not appear to be the case here.

4.In this view of the matter, the impugned refusal check slip is quashed. The petitioners are permitted to re-present the document. It shall be registered and released subject to the fulfilment of the other usual formalities. This shall be done immediately without delay.

5.This Writ Petition is allowed accordingly. No costs.

24.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN, J.

MGA

To

The Sub Registrar,
Thuraiyur Sub Registrar Office,
Thuraiyur,
Trichy District.

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